DISTRICT COURT OF THE VIRGIN ISLANDS DIVISION OF ST. CROIX

MICHAEL ELLENBURG,	
Plaintiff,	
v.)	Civil Action No. 23-0035
PEOPLE OF THE VIRGIN ISLANDS,)	
RESPONSIBLE GOVERNMENT AGENTS)	
OR AGENCIES ON EXTRACTION,	
JOHN DOE, MARY DOE,	
Defendants.)	

Appearances: Michael Ellenburg Pro Se

ORDER

THIS MATTER comes before the Court on Magistrate Judge Emile A. Henderson III's Report and Recommendation ("R&R") (Dkt. No. 21), in which he recommends the dismissal of Plaintiff Michael Ellenburg's ("Plaintiff") "Amended Complaint for Violation of Civil Rights" ("Complaint").

UPON CONSIDERATION of Magistrate Judge Henderson's R&R, and for the reasons stated in the accompanying Memorandum Opinion filed contemporaneously herewith, it is hereby

ORDERED that Magistrate Judge Henderson's R&R is ADOPTED IN PART AND REJECTED IN PART; and it is further

ORDERED that Magistrate Judge Henderson's R&R (Dkt. No. 21) is **ADOPTED** to the extent that it recommends dismissal of Plaintiff's Complaint with prejudice; and it is further

ORDERED that Magistrate Judge Henderson's R&R (Dkt. No. 21) is **REJECTED** to the extent that it recommends dismissal of Plaintiff's Complaint without prejudice; and it is further

ORDERED that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED WITH PREJUDICE**; and it is further

ORDERED that Plaintiff's Motion to Dismiss the Indictment¹ (Dkt. No. 9) is **DENIED AS MOOT**; and it is further

ORDERED that Plaintiff's Motion to Transfer (Dkt. No. 14) is **DENIED AS MOOT**; and it is further

ORDERED that the Clerk of Court is directed to mark this case **CLOSED**.

Date: September 30, 2024

______/s/_
WILMA A. LEWIS
District Judge

¹ In this Motion Ellenburg seeks dismissal of an indictment, and it is labeled on the Court's docket as a "Motion to Dismiss the [I]ndictment." However, an Information was filed against Plaintiff in the Superior Court for the Virgin Islands, not an Indictment.